

## **REMARKS**

### **Objection to the Claims**

Claim 7 has been amended to consistently use the term "a brake lining" instead of switching from "at least one brake lining" to "the brake lining".

### **Claim Rejections – 35 USC 102**

Claims 7-9 and 12 are rejected under 35 USC 102(b) as being anticipated by GB-2185079 (GB'079).

Applicant has amended Claim 7 to clarify that the at least one actuating device (5) is arranged in the brake caliper (3) and operates directly on the brake lining for exerting an application force on the brake lining (4). The net effect of the amendment is that it ties together the actuating device, the brake lining and spring assembly such that is clear that they are all associated.

Applicant respectfully submits that GB'079's spring assembly 29 is not arranged as required by amended Claim 7 and therefore GB'079 can not anticipate amended Claim 7. GB'079 does not have the claimed arrangement. Instead, GB'079 discloses a spring 29 that urges a pad 19 and associated backing plate 20 against a limb 17. GB'079 pg. 2, lines 20-23. Pad 19 is not the displaceably arranged pad that is acted directly upon by the actuating device. Since pad 19 is not connected to spring 29, applicant respectfully submits that GB'079 is not arranged as required by amended Claim 7 and therefore does not anticipate amended Claim 7.

The remaining Claims depend either directly or indirectly from Claim 7 and are believed to be in a condition for allowance for at least the same reason as Claim 7.

## **CONCLUSION**

Accordingly, Applicant believes that the claims as amended overcome the raised objections and rejections and are in a condition for allowance.

Respectfully submitted,

/Edwin W. Bacon, Jr./

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